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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 3460/2022, CrI.M.A.14503/2022**

RAM SWAROOP SHILESH Petitioner

Through: Mr.Rohan Jaitley, Mr. Akshay
Sharma and Mr.Ujas Kumar,
Advocates

versus

STATE & ORS.

....Respondents

Through: Mr. Ritesh Kumar Bahri, APP for
State

CORAM:

HON'BLE MS. JUSTICE ASHA MENON

ORDER

% **28.07.2022**

CRL.M.A.14503/2022 (for exemption)

1. Allowed, subject to just exceptions.
2. The application stands disposed of.

CRL.M.C. 3460/2022

1. This petition has been filed under Section 482 Cr.P.C., seeking setting aside of the order dated 22nd January, 2021, passed by the learned ASJ-02, Shahdara, Karkardooma Courts, Delhi in CrI.Rev. No.227/2018.
2. It is submitted by Mr. Rohan Jaitley, learned counsel for the petitioner, that despite pendency of the trial in FIR No.407/2003, registered under Section 498-A/34 IPC at P.S. Bhajanpura, Delhi, on account of mis-information furnished by the I.O./SHO, P.S. Bhajanpura, the case property

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comprising of broken bangles, chunni/dupatta, viscera peti of wooden box and one sealed pulanda, was destroyed. The grievance of the petitioner is that the learned MM did not direct the registration of an FIR against the police officials concerned and further the learned ASJ also upheld the orders of the learned MM.

3. Issue notice.
4. Mr. Ritesh Kumar Bahri, learned APP for the State, accepts notice.
5. The Status Report shall be filed by the DCP, North East District, Delhi about the destruction of the case property.
6. It is informed that despite death having occurred within seven years of marriage, the FIR seems to have been registered only under Section 498A/34 IPC. The Status Report shall also encompass this aspect of the matter.
7. List on 16th November, 2022.
8. The order be uploaded on the website forthwith.

ASHA MENON, J

JULY 28, 2022

s

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